

IN THE CLAIMS:

The following claims will replace all prior versions of claims in this application.

1. (Currently Amended) A dispensing device comprising:
 an upper portion having a housing;
 a center substance reservoir portion connected to said upper portion;
 and
 a lower cap portion connected to the center portion and containing an applicator;
 wherein an inner surface of said upper portion housing is capable of contacting a plunger, said plunger operatively providing forward movement ~~of~~ to a center toothed shaft, thereby driving a piston head ~~capable of dispensing~~ in order to dispense a substance from said applicator; wherein the plunger includes a hollow cylindrical portion and wherein the center toothed shaft extends through at least a portion of the hollow plunger.

2. (Currently Amended) A dispensing device according to claim 1, wherein said upper portion housing comprises a top segment and a bottom segment, said top segment tapering at an end to form a push button.

3. (Currently Amended) A dispensing device according to claim 2, wherein said upper portion housing further includes an accordion-pleated flexible plastic sleeve portion, said sleeve portion held in place by a collar defining an undercut area.

4. (Original) A dispensing device according to claim 2, said bottom segment having a surface including a plurality of evenly-spaced fingers forming grooves there between, said fingers forming an annulus about a central aperture such that said plunger and said center shaft extend there through.

5. (Currently Amended) A dispensing device according to claim 4, wherein said plunger ~~is an elongate cylinder having~~ includes a shoulder extending ~~radially outward to form~~ having a rim, and wherein the shoulder rim contacts an internal flange of an outer cylinder in a depressed condition.

6. (Original) A dispensing device according to claim 5, wherein an outer surface of said plunger has equally-spaced splines which matingly engage with said grooves of said upper housing.

7. (Currently Amended) A dispensing device according to claim 6, wherein said upper portion housing slidably engages said plunger for a limited distance before contact there between whereby said plunger and said housing operate in unison as through a housing shoulder.

8. (Currently Amended) A dispensing device according to claim 1, wherein said center-toothed shaft is an essentially ~~circular~~ cylindrical, elongate shaft having an array of evenly-spaced teeth extending longitudinally along said shaft and a shaft projection at a lower end of said shaft.

9. (Original) A dispensing device according to claim 8, wherein said teeth of said shaft are spaced apart from each other at a distance of about 0.45 mm.

10. (Currently Amended) A dispensing device according to claim 8, ~~wherein said shaft further includes a piston head~~ wherein a first spring is operatively connected between the upper housing portion and an outer cylinder, wherein the first spring maintains the upper portion housing a distance away from an end of the plunger in a non-depressed condition, and wherein a second spring is operatively connected between the outer cylinder and the plunger which maintains the plunger a

distance away from an internal flange of the outer cylinder when the upper portion housing is in the non-depressed condition.

11. (Currently Amended) A dispensing device according to claim ~~40~~ 8, wherein said piston head comprises a cylindrical wall having front and back peripheral lips.

12. (Original) A dispensing device according to claim 11, wherein a central recess of said piston head matingly receives said shaft projection such that said piston head moves in unison with said shaft.

13. (Currently Amended) A dispensing device according to claim 2, wherein said upper portion housing and said plunger are slidable in a forward longitudinal direction, wherein a first spring is operatively connected between the upper housing portion and an outer cylinder, wherein the first spring maintains the upper portion housing a distance away from an end of the plunger in a non-depressed condition, and wherein a second spring is operatively connected between the outer cylinder and the plunger which maintains the plunger a distance away from an internal flange of the outer cylinder when the upper portion housing is in the non-depressed condition.

14. (Currently Amended) A dispensing device according to claim 1, wherein said upper portion housing, said center reservoir portion and said lower cap portion are made from one or more of polybutylene, polyester, polyethylene, ethylene-ethyl acrylate, ethylene-vinyl acetate, or polypropylene, ~~and the like.~~

15. (Original) A dispensing device according to claim 3, wherein said accordion pleated sleeve portion is made from one or more of silicone rubber, polypropylene, low density polyethylene, ultra-low density polyethylene, or polybutylene.

16. (Currently Amended) A dispensing device according to claim 1, wherein said applicator ~~is~~ includes a brush or a sponge.

17. (Original) A dispensing device according to claim 1, wherein said substance to be dispensed is a cosmetic substance, a personal care substance or a medicinal substance.

18. (Original) A dispensing device according to claim 5, wherein said substance to be dispensed is a cosmetic substance, a personal care substance or a medicinal substance.

19. (Original) A dispensing device according to claim 8, wherein said substance to be dispensed is a cosmetic substance, a personal care substance or a medicinal substance.

20. (Original) A dispensing device according to claim 10, wherein said substance to be dispensed is a cosmetic substance, a personal care substance or a medicinal substance.

21. (Original) A dispensing device according to claim 13, wherein said substance to be dispensed is a cosmetic substance, a personal care substance or a medicinal substance.

22. (Original) A dispensing device according to claim 1, wherein said device is operable without rotary action of said upper portion.

23. (Currently Amended) A dispensing device, comprising:
a slidable upper housing, an internal shaft, a substance reservoir, and an applicator;

said upper housing operatively connected to said shaft other than at ~~the top~~ an end portion thereof of the shaft, said shaft having a second end connected to a piston head located in said substance reservoir so that upon pressing said slidable upper housing said piston is capable of supplying a substance through said applicator connected to said reservoir, wherein a first spring is operatively connected between the upper housing and an outer cylinder, wherein the first spring maintains the upper housing a distance away from an end of a plunger in a non-depressed condition, and wherein a second spring is operatively connected between the outer cylinder and the plunger which maintains the plunger a distance away from an internal flange of the outer cylinder when the upper housing is in the non-depressed condition.

24. (Original) A dispensing device according to claim 23, wherein said upper housing has a push button portion located at the upper extremity thereof and wherein said push button portion upon depression thereof is not capable of contacting said shaft top portion.

25. (Currently Amended) A dispensing device according to claim 24, wherein said slidable upper housing is capable of being slidably moveable in a forward longitudinal direction with respect to said plunger a ~~limited~~ distance until contact there between where upon said housing and said plunger move in unison.

26. (Original) A dispensing device according to claim 25, wherein said dispensing device has an outer cylinder, wherein said upper housing has a flexible pleated sleeve contacting said outer cylinder and wherein said flexible sleeve is capable of expanding and retracting.

27. (Original) A dispensing device according to claim 26, wherein said shaft is capable of advancing in a forward longitudinal direction.

28. (Original) A dispensing device according to claim 27, wherein said piston head is slidably received in said substance reservoir.

29. (Original) A dispensing device according to claim 28, wherein said outer cylinder forms a portion of said substance reservoir.

30. (Currently Amended) A dispensing device according to claim 23, wherein said upper housing is made of plastic, wherein the plunger includes a cylindrical portion which is hollow and wherein the center toothed shaft extends through at least a portion of the plunger.

31. (Original) A dispensing device according to claim 29, wherein said upper housing is made of polypropylene.

32. (Original) A dispensing device according to claim 23, wherein said applicator has a tip portion and wherein said tip portion contains a plurality of orifices therein.

33. (Original) A dispensing device according to claim 26, wherein said applicator has a tip portion and wherein said tip portion contains a plurality of orifices therein.

34. (Original) A dispensing device according to claim 30, wherein said applicator has a tip portion and wherein said tip portion contains a plurality of orifices therein.

35. (Currently Amended) A dispensing device according to claim 23, wherein said substance to be dispensed is a cosmetic substance or a medicinal substance or a personal care substance, wherein the plunger includes a hollow cylindrical portion and wherein the center toothed shaft extends through at least a portion of the hollow plunger.

36. (Original) A dispensing device according to claim 25, wherein said substance to be dispensed is a cosmetic substance or a medicinal substance or a personal care substance.

37. (Currently Amended) A dispensing device according to claim 27, wherein said substance to be dispensed is a cosmetic substance or a medicinal substance or a personal care substance, wherein the plunger includes a hollow cylindrical portion and wherein the center toothed shaft extends through at least a portion of the hollow plunger.

38. (Original) A dispensing device according to claim 32, wherein said substance to be dispensed is a cosmetic substance or a medicinal substance or a personal care substance.